

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

JEFFREY DESKOVIC,

Plaintiff,

vs.

CITY OF PEEKSKILL, ET AL.,

Defendants.

X

No.: CV-07-8150 (KMK)(GAY)

**HARCO NATIONAL
INSURANCE COMPANY'S
NOTICE OF PARTIAL
MOTION TO DISMISS AND
TO STRIKE CERTAIN
ALLEGATIONS**

LINDA MCGARR,

X

Plaintiff,

vs.

CITY OF PEEKSKILL, ET AL.,

Defendants.

X

No. 07-CV-9488 (KMK)(GAY)

Third-Party Plaintiff,

vs.

WESTPORT INSURANCE COMPANY, ET AL.,

Third-Party Defendants.

X

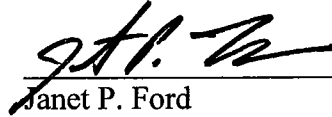
PLEASE TAKE NOTICE THAT, upon the declarations and exhibits submitted in conjunction with this motion by the other Third-Party Defendants, and the Memorandum of Law accompanying this notice, and pursuant to Fed. R. Civ. P. 12(b)(6) and this Court's scheduling order issued on March 27, 2012, Third-Party Defendant HARCO NATIONAL INSURANCE COMPANY, moves for an ORDER: (1) dismissing Count III of the above-captioned Third-Party

Amended Complaints; and (2) striking all additional and unauthorized allegations regarding bad faith conduct.

Dated: New York, New York
April 20, 2012

WHITE FLEISCHNER & FINO, LLP

By:



Janet P. Ford

Counsel for Third-Party Defendant HARCO
NATIONAL INSURANCE COMPANY
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Our File No.: 344-15971

TO: (see Certificate of Service)